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THIRD CONFERENCE
ON THE LAW OF THE SEA

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LETTER DATED 26 FEBRUARY 1975 FROM THE PERMANENT REPRESENTATIVE
OF GREECE ADDRESSED TO THE SPECIAL REPRESENTATIVE OF THE
SECRETARY-GENERAL TO THE THIRD UNITED NATIONS CONFERENCE ON THE
LAW OF THE SEA

I have the honour to enclose herewith the text of a note dated
27 January 1975 from the Greek Embassy in Ankara to the Turkish Ministry of
Foreign Affairs, proposing that the dispute over the delimitation of the
continental shelf between the two countries be referred to the International Court
of Justice at The Hague.

In formulating their proposal, the Greek Government were moved by the view
that the Turkish position, resting on such considerations as "areas with special
characteristics", "enclosed" and "semi-enclosed" seas etc., did not offer a sound
basis for a negotiated settlement, as unfounded both in international law and in
practice.

I have the honour to request that this letter be circulated as an official
document of the Conference on the Law of the Sea.

Accept, etc.

(Signed) Denis CARAYANNIS
Ambassador
Permanent Representative of Greece
to the United Nations

75-04273

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English

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Note verbale dated 27 January 1975 from the Embassy of
Greece at Ankara addressed to the Ministry of Foreign
Affairs of Turkey

The Greek Embassy present their compliments to the Ministry for Foreign Affairs and with reference to the exchange of notes regarding the continental shelf in the Aegean, they have the honour to advise the Ministry as follows:

They wish to remind the Ministry that by note No. 6243.II/44/AS 812 of 24 May 1974 the Greek Government had declared that, while reserving their position, they were not opposed to a delimitation of the continental shelf between the two countries, based on the provisions of present day positive international law as codified by the Convention on the Continental Shelf, signed at Geneva in 1958.

The Turkish Government stated in response that they were willing to discuss the matter in the framework of the rules of international law.

However, the Turkish Government's position according to which "the Greek islands sited near the Turkish coast have no continental shelf of their own" - a position reiterated on 16 September 1974 - raises considerable doubts as to the inclusion of all the provisions of said Convention on the Continental Shelf in their concept of the "rules of international law".

In view of the foregoing and taking into additional consideration most recent authoritative clarifications given to the Greek Ambassador in Ankara to the effect that the Turkish Government is animated by a spirit of conciliation, the Greek Government propose that the differences over the applicable law as well as over the substance of the matter be referred to the International Court of Justice. Indeed, the Greek Government without prejudice to their right to initiate Court proceedings unilaterally would see considerable advantage in reaching jointly with the Turkish Government a special agreement under which reference to the Court might be made, as befits two neighbouring countries and fellow Members of the United Nations Organization.

The Greek Embassy would be most obliged to the Ministry for Foreign Affairs if they could advise them in due time of the Turkish Government's views on this proposal.

The Embassy avail themselves etc.
